

There came on for consideration at a meeting of the Mayor and City Council of the City of Diamondhead, Mississippi, held on the **4th** day of **June, 2019**, the following Resolution:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PARCELS OF LAND ARE IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENRY OF THE CITY AND AUTHORIZING ADVERTISEMENT FOR BIDS OR TO OBTAIN QUOTE(S) TO HAVE SAID LANDS CLEARED AND CLEANED AND TO ASSESS THE COSTS TO THE SAID PROPERTIES

WHEREAS, the Mayor and City Council of the City of Diamondhead, Mississippi, (the "City"), pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, finds, determines, and adjudicates, based upon the investigation of the City's Building Department, that the parcels of land described below are in such a state of uncleanness and overgrowth as to be a menace to the public health, safety, and welfare of the citizenry of the City; and

WHEREAS, said properties, as described herein, are within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi; and

WHEREAS, the parcels investigated by the Building Department and recommended by the Building Official for adjudication as being in such a state of uncleanness and overgrowth, including concrete slab(s), as to be a menace to the public health, safety and welfare of the citizenry of the City are identified as: SEE ATTACHED EXHIBIT "A."

- Remove all structures, including concrete slabs (house, driveway, and/or hangar slabs) and above-ground framing members;
- Remove all trash, rubbish, debris and other materials to a proper disposal site.

WHEREAS, notice to the property owners was provided by the City pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, i.e. First-Class United States Mail to Diamondhead Real Estate, LLC, Kevin & Wendy Gaspard, State of Mississippi, James K. Overstreet, Danny Partin, William Stafford, Burl N. Nelson, Robert L. Mitchell,

Diamondhead Casino Corporation, Crom Realty, Milton Zimmer, Vernon Saulters Revocable Trust, Adam P. Evans, Jr. & Patsy Evans, Gregory G. Weachter, Diamondhead Properties, Inc., Nancy S. Cuty, and Ronald K. Stelly, notice posted on the bulletin board at City Hall, and notice posted on the properties at 2429 Airport Drive, 248 Akoko Street, 5721 Alkii Way, 5723 Alkii Way, 574 Anoai Place, 578 Anoai Way, 688 Auahi Place, 2360 Coelho Way, 2390 Coelho Way, 3518 Diamondhead Drive South, 572 Haina Street, 1 Harbor Circle, 2 Harbor Circle, 3 Harbor Circle, 4 Harbor Circle, 5 Harbor Circle, 3534 Loulu Place, 358 Luakini Place, 3528 Luakini Place, 3530 Luakini Place, 10714 Luawai Place, 3412 Lumahai Place, and 3518 Lumahai Place, all within Diamondhead, Mississippi; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine and adjudicate that advertisement for bids or obtaining quotes to clean the above referenced properties should be made in the form and manner as provided by law as follows:

2429 Airport Drive, 578 Anoai Way, 688 Auahi Place, 2390 Coelho Way, 3518 Diamondhead Drive South, 572 Haina Street, 1 Harbor Circle, 2 Harbor Circle, 3 Harbor Circle, 4 Harbor Circle, 5 Harbor Circle, and 358 Luakini Place to be advertised for bids after the expiration of ninety (90) days from June 4, 2019; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine, and adjudicate that an additional ninety (90) days from June 4, 2019, will be allowed for the following properties to address the issue of slab removal: 248 Akoko Street, 5721 Alkii Way, 5723 Alkii Way, 574 Anoai Place, 2360 Coelho Way, 3534 Loulu Place, 3528 Luakini Place, 3530 Luakini Place, 3412 Lumahai Place, and 3518 Lumahai Place; and

WHEREAS, the Mayor and City Council further find, determine, and adjudicate that the cost of the demolition and/or lot cleanup shall not exceed the aggregate amount of \$10,000.00 per parcel per calendar year or the fair market value of the property subsequent to cleaning, whichever is less. Said amount shall be assessed as a lien against each of said

properties as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, as other judgments are enrolled, and in the office of the Chancery Clerk of Hancock County, Mississippi; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine, and grant authority to the Building Department to re-enter the properties not more than five (5) times for a period of one (1) year without any further hearings if notice is posted on these properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least ten (10) days prior to re-entering the properties for resolution of the same type of violation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the properties listed in the attached Exhibit "A" be and hereby are declared to be a menace to the public health, safety, and welfare of the citizenry of the City of Diamondhead.

SECTION 3. That the City Clerk be and hereby is authorized to advertise for bids or obtain quote(s) to remove all structures, including concrete slabs (house, driveway, and/or hangar slabs) and above-ground framing members, and the other items identified in the preamble as well as the violation letter dated May 15, 2019, to Diamondhead Real Estate, LLC, Danny Partin, William Stafford, Robert L. Mitchell, Diamondhead Casino Corporation, Crom Realty, and Vernon Saulters Revocable Trust, and to remove all trash, rubbish, debris, and other materials, including concrete slabs, to a proper disposal site as described hereinabove and lying within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi.

SECTION 4. That the cost of cleanup of the herein described properties, including any penalty assessed, shall be a lien against said properties as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, and in the office of the Chancery Clerk of Hancock County, Mississippi.

SECTION 5. That the Mayor and City Council of the City of Diamondhead further find, determine, and hereby grant authority to the Building Department to re-enter the properties not more than five (5) times for a period of one (1) year without any further hearings if notice is posted on these properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least ten (10) days prior to re-entering the properties for resolution of the same type of violation.

Councilmember Depreo moved for the adoption of the Resolution, which was seconded by Councilmember Morgan.

Upon being put to a roll call vote, the following ballots were cast:

	<u>YEAS</u>	<u>NAYS</u>	<u>ABSENT</u>
Depreo	✓		
Moran	✓		
Wetzel	✓		
Koenenn	✓		
L'Ecuyer			Abstain
Schafer	✓		

WHEREUPON, the Mayor declared the Motion carried and the Resolution adopted, this the 4th day of June, 2019.

ATTEST:

Dannie Klein
CITY CLERK

ADOPTED:

[Signature]
MAYOR



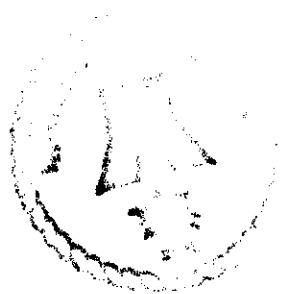


Exhibit "A"

Diamondhead Real Estate, LLC, 2429 Airport Drive	Tax Parcel Identification Number 132J-2-10-130.000
Danny Partin, 578 Anoi Way	Tax Parcel Identification Number 131C-1-13-036.000
William Stafford, 688 Auahi Place	Tax Parcel Identification Number 131B-0-01-155.000
Robert L. Mitchell, 2390 Coelho Way	Tax Parcel Identification Number 132R-0-10-238.000
Diamondhead Casino Corporation, 3518 Diamondhead Drive South	Tax Parcel Identification Number 131M-2-11-001.000
Crom Realty, 572 Haina Street	Tax Parcel Identification Number 131C-1-13-045.000
Diamondhead Real Estate, LLC, 1 Harbor Circle	Tax Parcel Identification Number 131M-2-11-060.000
Diamondhead Real Estate, LLC, 2 Harbor Circle	Tax Parcel Identification Number 131M-2-11-061.000
William Stafford, 3 Harbor Circle	Tax Parcel Identification Number 132J-1-10-002.003
William Stafford, 4 Harbor Circle	Tax Parcel Identification Number 132J-1-10-002.004
Diamondhead Real Estate, LLC, 5 Harbor Circle	Tax Parcel Identification Number 132J-1-10-002.005
Vernon Sauters Revocable Trust, 358 Luakini Place	Tax Parcel Identification Number 131M-2-11-037.000